

Xerox Docket No. A1188Q-US-NP

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Patrick BAUDISCH et al.

Group Art Unit: 2173

Application No.: 10/015,642

Examiner: M. Roswell

Filed: December 17, 2001

Docket No.: 132954.01

For: METHODS OF USING MIXED RESOLUTION DISPLAYS

**RENEWED PETITION UNDER 37 C.F.R. §1.181 FOR WITHDRAWAL
OF ABANDONMENT BASED ON NON-RECEIPT OF OFFICE ACTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop: Petition
ATTN: John J. Gillion, Jr.
Senior Attorney

Sir:

In response to the July 16 Decision, Petitioner hereby renews Petitioner's request that the holding of abandonment of the above-referenced application be withdrawn.

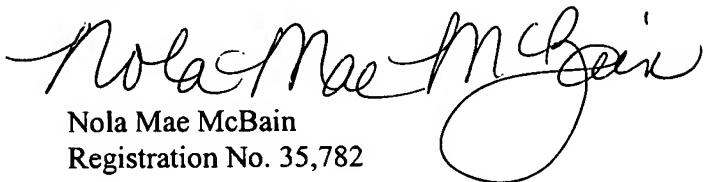
A non-final Office Action for the above-identified application was mailed on January 19, 2006. However, the January 19, 2006 Office Action was not received by Petitioner. Petitioner filed a Petition for Withdrawal of Abandonment for Failure to Receive An Office Action on November 16, 2006. The July 16, 2007 Decision dismissed the November 16, 2006 Petition on the grounds that the Petition failed to clearly indicate (1) who made the search of the file jacket and docket records and (2) that the person making the statement is the one who performed the search.

Pursuant to MPEP §711.03(c), a search of the jacket file and docket records was conducted by the undersigned. I confirm that the January 19 Office Action was not received prior to abandonment of the application. Because the January 19 Office Action was not

received, the holding of abandonment was unavoidable. Copies of the cover of the docket file, log books, and automated docketing system events list, each annotated to show where the January 19, 2006 Office Action would have been entered if it had been received, are attached.

Petitioner respectfully requests the granting of this Petition and the re-mailing of the Office Action.

Respectfully submitted,


Nola Mae McBain
Registration No. 35,782

NMM:JHB/gml

Attachments:

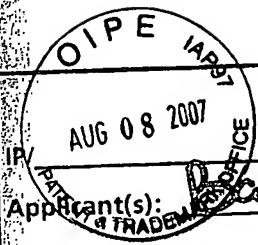
Copy of docket file wrapper
Docketing System Printout
Docketing System Events List
Copy of log books

Date: August 5, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 24-0037</p>
--

XEROX CORPORATION
DOCKET FILE WRAPPER



Patent No. _____

Granted: _____ / _____ / _____

Applicant(s): Davidson et. al.

Title: _____

Drawings: Informal
 Formal 6,17,02 Formal (Date Filed)

Serial No.: 10/015642

Filing Date: 12-17-2001

CIP / Continuation / Divisional of Application Serial No.: _____ Filed: _____ / _____ / _____

Final Fee Sent _____ Assignment Recorded _____ / _____ / _____ [Reel _____ Frame _____]

Foreign Priority Claimed: Appl. No. _____ Country _____ Date _____ / _____ / _____

Foreign Filing Program (Circle Countries):

CAN MEX BRA ARG _____

EPO / NAT: GRB GER FRA ITL SPN HOL GRK SWD BEL STZ ATR _____

NOR DNK PTG _____

JPN CHN KOR TIW AUS _____

Description of Incoming Paper	Date Due	Description of Outgoing Paper
		miss parts 7 3/21/02
		Assignment
		EOT
		resent assign 6/18/02
		Formal OWS 6/17/02
		IDS 9-16-02
		resubmit assign paperwork
		10/30/2002
		flowported to PatSmith
		3/10/2003
if received OA mailed on 6/19/2002 would have been logged here	2	Amend's EOT: IDS 1/25/2005 KCC/Amend/EOT 10/18/05 Supplemental IDS + 1449 w/ 4 Reference 8/22/06

Assigned Attorney/Agent: UNM

PATENT APPLICATION [575]

File number	Country	
Internal reference	Type	External reference
A1188Q	Archived	
Patent ID	Storage	Attorney
54589	MCBAIN NOLA MAE	
Main	Priority	
00000000000000000000000000000000	Priority date	Priority office
Division / Site	Site	
Division	Site	
Agents	Agents	
Outside Counsel	Ref	Priority
Annuity	United States Patent & Trademark Office	Expiry
Foreign		17/DEC/2021
Status	XEROX IS RESPONSIBLE	
Legal	Keeper	Total Claims
Prosecution Status	Annulities to be paid	Pages
Pending		
Processed by	Opposition	
Current status	Event	
	Date	Number
		10/015642
Critical dates	Main events	
Date	Number	Short title
Filing	17/DEC/2001	10/015642
Publication	4/NOV/2002	17/DEC/2021
Grant		
End		



09/22/2006



Docketing system (A1188Q-UNITED STATES OF AMERICA-

Event	Nature	Due date	Reminder	Performed	C.	Acknowledg	Amount (USD)
Open				13/DEC/2001	<input checked="" type="checkbox"/>		
Sent to PTO				14/DEC/2001	<input checked="" type="checkbox"/>		
Filing	10/015642			17/DEC/2001	<input checked="" type="checkbox"/>		
Recorded Assignment	412-413			17/DEC/2001	<input checked="" type="checkbox"/>		
Notice of Missing Parts	Not of Missing Parts			17/JAN/2002	<input checked="" type="checkbox"/>		
Miscellaneous - Docketing	FOREIGN FILING RE			07/FEB/2002	<input checked="" type="checkbox"/>		
Declaration	Declaration	17/MAR/2002		21/MAR/2002	<input checked="" type="checkbox"/>		
Assignments	Assignment-Record	17/MAR/2002		21/MAR/2002	<input checked="" type="checkbox"/>		
Extension	Pet extns of time			21/MAR/2002	<input checked="" type="checkbox"/>		
Declaration	Declaration	17/APR/2002		21/MAR/2002	<input checked="" type="checkbox"/>		
Miscellaneous - Incoming	Misc Action Receive			31/MAY/2002	<input checked="" type="checkbox"/>		
Drawings	Prpsd Drawg Corr	14/SEP/2002		17/JUN/2002	<input checked="" type="checkbox"/>		
Assignments	Assignment-Record	30/JUN/2002		17/JUN/2002	<input checked="" type="checkbox"/>		
Information disclosure statement	Info Disclosure Stmt	14/MAR/2002		16/SEP/2002	<input checked="" type="checkbox"/>		
Assignments	Assignment-Record			30/OCT/2002	<input checked="" type="checkbox"/>		
Publication	20020167460			14/NOV/2002	<input checked="" type="checkbox"/>		
Recorded Assignment	774-775			28/FEB/2003	<input checked="" type="checkbox"/>		
Assignments	Assignment-Record			10/MAR/2003	<input checked="" type="checkbox"/>		
Office action	1st			13/AUG/2004	<input checked="" type="checkbox"/>		0.00
Extension	3 Months			25/JAN/2005	<input checked="" type="checkbox"/>		
Amendment		13/NOV/2004		25/JAN/2005	<input checked="" type="checkbox"/>		0.00
Information disclosure statement	Post 1st OA			25/JAN/2005	<input checked="" type="checkbox"/>		
Final Office Action				21/APR/2005	<input checked="" type="checkbox"/>		
Notice of Appeal		21/JUL/2005			<input checked="" type="checkbox"/>		0.00
Pre-Appeal Brief Request for Review		21/JUL/2005			<input checked="" type="checkbox"/>		0.00
Amendment	116	21/MAY/2005		18/OCT/2005	<input checked="" type="checkbox"/>		0.00
Request for continued examination				18/OCT/2005	<input checked="" type="checkbox"/>		
Extension	3 mo.			18/OCT/2005	<input checked="" type="checkbox"/>		
Statutory Abandonment	FNL noa	21/OCT/2005		22/AUG/2006	<input checked="" type="checkbox"/>		0.00
Supplemental Information Disclosure					<input checked="" type="checkbox"/>		
Expiry date		17/DEC/2021			<input checked="" type="checkbox"/>		
Filing receipt					<input checked="" type="checkbox"/>		
CONVERSION NOTES					<input checked="" type="checkbox"/>		

✓ if received OA would have been logged here

Line #	Docket No.	Attorney	INCOMING				OUTGOING				RESPONSE DUE	
			Type	Date	Type	Date	Type	Date	Type	Date	Comments	
1	A 4043-US-NP	ZSS	Offic	1-3					1/18	Suppl	✓	
2	A 3622-US-NP	M.G	CJ	1-4					✓	Fixed	✓	
3	A 1011-US-NP	R-H	babd	1-5					✓	new fig 3	✓	
4	A 2080-US-NP	A-H	1-3		BA				✓			
5	A 1141-US-NP	Minor	BT	12-28	PT	1-28			✓			
6	A 1111-US-NP	CJW	AKH	1-3	FE	4-3			✓			
7	A 1118-US-NP	JMY			MC	1-5-04			✓	✓		
8	A 3384-US-NP	JWB	Offic	1-6					✓	Suppl	✓	
9	A 3393-Q-US-NP	JWS	Offic	1-6					✓	Suppl	✓	
10	A 3384-US-NP	JWS	Offic	1-6					✓	Suppl	✓	
11	A 3383-US-NP	JWS	Offic	1-6					✓	Suppl	✓	
12	D 3334-US-SP	TEW	babd	1-6					✓	Non charged	✓	
13	D 3346-US-SP	TEW	babd	1-6					✓			
14	A 3012-US-NP	LMR	MS-Int	1-6					✓	static inaccuracy	✓	
15	A 1145-US-NP	JWW	be ex	1-6					✓	ex-120 refixed	✓	
16	A 2569-Q-US-NP	DTA	ba	1-6					✓	✓		
17	A 3245-US-NP	DTW	Offic	1-9					✓			
18	A 2631654-US-NP	WQE	Offic	1-9					✓	ex-120 be 200 fixed	✓	
19	A 3400-US-NP	KWU	baex	1-9					✓	ex-450 v ex-200 v	✓	
20	A 3598-US-NP	KWU	ba ex	1-9					✓			

Line #	Docket No.	Attorney	INCOMING			OUTGOING			RESPONSE DUE			COMMENTS
			Type	Date	Type	Date	Type	Date	Type	Date	Type	
21	A08404US-NP	JMY			mech-1-9							Axed me-790v
22	20041607-US-NP	JTB			ciai	1-10						
23	20050828-US-NP	JTB			ciai	1-10						
24	20051320-US-NP	JTB			ciai	1-10						
25	A3407-US-NP	M.D			ciai	1-10						
26	A12268-US-CP				OR	1-10						
27	A2584-US-NY	M.D			ciai	1-11						
28	A2584Q-US-NP	M.Q			ciai	1-11						
29	98437-US-NP	EDP			DA	1-10						
30	A2177-US-DOCKET	JTB			BF	1-10						
31	A3401-US-NP	2SS			BF, RCE, ED	1-11						
32	2004126-US-NP	JTB			ciai	1-12						
33	2004193-US-CP	JTB			ciai	1-12						
34	20041581Q-US-NP	JTB			ciai	1-12						
35	2004194-US-NP	JTB			ciai	1-12						
36	20041582M-US-NP	JTB			ciai	1-12						
37	A3201-US-NP	JMY			OR	1-11						
38	A1357-US-NP	JMY			CS	1-11						
39	A1553-US-NP	JMY			SA ex	1-11						
40	20040824-US-NP	2SS			SA ex	1-12						

Line #	Docket No.	Attorney	INCOMING				OUTGOING				RESPONSE DUE				COMMENTS
			Type	Date	Type	Date	Type	Date	Type	Date	Type	Date	Type	Date	
41	20040474-US-NP	LMK	ba	1-12							Fixed	1			
42	A3013-15NP	LMK	ba, sec, F5, BE	1-12							Fixed				
43	20031232USNP	LMK	ex	1-12							F5-130 Rec 132:				
44	A3494-US-NP	LMK	ba								ex-120 Fixed ✓				
45	A2211-15-010	LMK	cp	1-12							Fixed	1			
46	A4022-US-NP	PRM	ba	1-13							Fixed	1			
47	93599-US-DIV	THE	rec	1-12							rec 790 ✓ Fixed				
48	20031326-US-NP	LMK	ba ex	1-13							Fixed	OK-120✓			
49	A1031-US-NP	JMY	ba	1-12							Fixed	1			
50	Aba0250-US-NP	LMK	ba	1-17							Fixed	1			
51	A4048-US-NP	C.DH	ba								Fixed	1-18			
52	A40480-US-NP	CDH	CSAI	1-18							Fixed	1			
53	A231005-110	LMK	ex	1-17							ex-120 ✓	1			
54	A6003115-110	JMY	ba								ex-120 ✓	rec 790 ✓			
55	A6118005-110	JMY	ci	1-17							ci 180 ✓				
56	A3633-US-NP	JMY	ci	1-17								1			
57	A2497-US-CNT	JMY	ba	1-18							Fixed non- complaint	1			
58	A04800-US-NP	LMK	sf	1-18							Fixed	1			
59	A474US-NP	JMY	ba	1-18							Fixed	1			
60	A0460-US-NP	LMK	ba	1-18							Fixed and ready to go	1			

Line #	Docket No.	Attorney	INCOMING				OUTGOING				RESPONSE DUE			
			Type	Date	Type	Date	Type	Date	Type	Date	COMMENTS			
61	A 3126-US-NP	JMM	by	1-19							ex-120			
62	A 0590-US-NP	JMM	DA	1-19	if received		DA	500	Fixed		1-19			
63	A 3593Q-US-NP	JWB	gca	1-20	the DA									
64	A 3083-US-NP	JWB	gca	1-23	would have									
65	A 2212-US-NP	WDR	ms	1-23	been						Fixed			
66	A 2340Q-US-NP	JWB	gca	1-24	logged						by DA			
67	A 177-US-DIV	JAB	6F	1-24	below the						1000			
68	A 9017-US-CIV	WDR	gca	1-25	Yellow						Fixed			
69	A 1287Q-US-NP	KCB	ba	1-25							1C 200 ee 50			
70	A 1490-US-NP		gca	1-24							gj-180			
71	A 149Q-US-NP		gca	1-24							gj-180			
72	A 1547-US-DIV	JMY	gca	1-25							Fixed			
73	A 9704Q-US-NP	DBC	gca	1-23										
74	A 13110-US-NP	JMM	ba	1-25							Fixed at DA			
75	A 3195-US-NP	JMY	ba	1-26							Oppose EB 1000			
76	A 5140Q-US-NP	JMM	ba	1-26							Fixed			
77	A 0925-US-NP	WDR	ba	1-25							Fixed Signal			
78	A 9428-US-NP	WDR	ba	1-19							Edited			
79	A 4668-US-NP	DBC	ba	1-27							Cert hear			
80	A 11920-US-NP	DBC	ba	1-27							mc-720 & T-100			

Line #	Docket No.	Attorney	INCOMING			OUTGOING			RESPONSE DUE			COMMENTS
			Type	Date	Type	Date	Type	Date	Type	Date	Type	
81	AD785-US-NP	R-H			bx	1-27						FOXED
82	A2215-US-NP	R-H			bx	1-27						FIXED
83	20030935-US-NP	JWB			clci	1-31						
84	20030935-US-NP	JWB			clci	1-31						
85	A3465-15-114	LFB			bx	1-31						FIXED
86	A350301-15-110	JCB			clci	1-31						
87	00414380-US-NP	CDW	AN	1-26			clci	3-26				RE

Attic - J. Sweet 05/05

Line #	Docket No.	INCOMING		OUTGOING		RESPONSE DUE		Comments	
		Attorney	Type	Date	Type	Date	Type	Date	
1	A1189	JHY	OA	12/28/05			Amd	3/28/06	
2	A3251	ZS	OA	12/29/05			Amd	3/29/06	
3	A3412	CDW	10A	12/30/05			Amd	3/30/06	
4	A4043	ZS	OA	12/29/05			Amd	3/29/06	
5	A102291	ALB	OA	12/29/05			Amd	3/29/06	
6	A3150	ZS	OA	12/29/05			Amd	3/29/06	
7	A14580	MD	1st OA	12/29/05			Amd	3/29/06	
8	A0044	DBC	Ex And No Allow	12/29/05			Fees	3/29/06	
9	A1631	ALB	No Allow	12/28/05			Fees	3/28/06	
10	A2232	JHY	OA	12/30/05			Amd	3/30/06	
11	A1141	MAN/RT					Amd	3/27/05	
12	A2375	FBF/LFB	Attorn. Ex/Ex +	1/4/06			Fees	4/4/06	Sent to FBF.
13	20040806-US-OP	DJA	Quarles OA	1/4/06			Swng Conf/And	3/4/06	Copy to Ules.
14	A3117	FBF/EOP	FNL OA	1/4/06			116- NOA- 4/4/06	2/4/06 4/4/06	Sent to FBF.
15	20040818-US-OP	DJA	Quarles OA	1/4/06			Swng Conf/And	3/4/06	Copy to Ules.
16	20040805-US-OP	DJA	Quarles DA	1/4/06			Swng Conf/And	3/4/06	Copy to Ules.
17	A1103-115-RE1	KYC	OA	1/4/06			Amd	4/4/06	Copy to Ules.
18	DSA3573	JHY	FNL	1/3/06			Draw Carr 116 NODA	2/3/06 4/3/06	Copy to Ules.
19	A14499Q	M28	FNL	1/5/06			Draw Carr 116 NODA	2/5/06 4/5/06	Copy to Ules.
20	A2702	EOP	Ex Amd Intervening	15/06			N/R	—	Amnd authorized by Esth

ne #	Docket No.	Attorney	Type	Date	INCOMING	Type	Date	OUTGOING	Type	Date	RESPONSE DUE	Comments
1	93599 D1	JLB	Adv Act	1/5/04								
2	20040820-US-SP	DJA	Ex And Allow	1/6/06								
3	20040824	ZS	REQ	1/6/06								
4	A2497-US-CNT	JMY	REQ	1/6/06								
5	87324T DIV	JLB	NABD	1/5/04								
6	20031723	KYC	REQ	1/4/06								
7	20050706	AS	NYpts	1/6/06								
8	A2087Q	KYC	Not.	1/5/06								
9	99242 QI DIV	KYC	OA	1/6/06								
10	20040801-US-SP	DJA	Qual/Off	1/6/06								
11	ACA87	JNW	OA	1/9/06								
12	A2483	ZS	POA	1/10/06								
13	A3233Q	ALB	Misc (Incom)	1/10/06								
14	A1597	JYR	312 extnd	1/10/06								
15	A2012	JNW	FNL DA	1/10/06								
16	A3356	TZ	1ST OA	1/10/06								
17	A2224	COW	1ST OA	1/10/06								
18	A3312	JMY	1 st OA	1/10/06								
19	A1001	WHT/LFB	FNL OA	1/10/06								
20	20031663	R-H	OA	1/10/06								

drugs - 1/6/06
fees - 4/6/06
Sec of
Claim

Sec of
Claim 2/6/06
Sec of
Claim 2/6/06
N/R
Sec of
Claim 2/4/06
Ass - 3/6
Sec - 3/6

Secured Ad.

(Other)

Drugs - 2/6/06
Am - 3/6/06

Am - 4/10/06

Drugs - 2/10/06
Am - 4/10/06

Drugs - 4/10/06
Am - 4/10/06

Cover to Client

Cover to Client

Cover to Client

Cover to Client

JAN 2000

ne #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
11	A0359 Q	JLB	1ST OA	1/10/06			And	4/10/06	
12	A 2349	OLF/ESF	OA	1/10/06			And	4/10/06	Copy child to OLF
13	A 1505. US. DIV	JLB	OA	1/10/06			And	4/10/06	
14	A 1022 Q 3	ALB	OA	1/10/06			And	4/10/06	
15	99458	JRW	OA	1/11/06			And	4/11/06	
16	A 2018	MARY/RH			SIDS	1/11/06			
17	A 1199	DBC	FNLOA	1/11/06			NOA	2/11/06 4/11/06	
18	A0477 QB. US. DIV	BBF/LFB	OA	1/11/06			And	4/11/06	Send to FBF
19	A 4015. US. NP	PWJ/R-H	PREG	1/14/06	EY/clario	1/14/06			
20	A 3138. US. NP	R-H	Alliance	1/13/06			Grant fee	4/13/06	
21	A 3213. US. NP	TIN	1ST OA	1/12/06			And	4/12/06	Copy docket
32	A 1465	R-H	1ST OA	1/13/06			And	4/13/06	
33	A1042	R-H	1ST OA	1/13/06			And	4/13/06	
34	A 2382. US. DIV	ZS	NABD	1/11/06					Att by COS 7/05
35	A 2180	JHW	NABD	1/11/06					Att by COS 7/05
36	98235	CJW	Det (granted)	1/12/06					Abandonment withdrawn.
37	A 1141	MARY/RH	/		Inst Sums	1/12/06			
38	A 3311	JWY	1ST OA	1/17/06			And	4/17/06	
39	A 1320	TBZ	FNLOA	1/17/06			NOA	2/17/06 4/17/06	
40	A 1547	JWY	FNLOA	1/17/06			NOA	2/17/06 4/17/06	

line #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
61	A 3196	JHY	Allow.	1/17/06	rsp to markord.	1/12/06	Fees	4/17/06	
62	20041995	Corf/JHY	Ex Ord + Allow.						Design - 401
63	A 3021	LFB	1/18/06				Fees.	4/18/06	
64	AOA2300	JLB	HASC (From Indus Stat)	1/17/06			Rsp	2/17/06	
65	A 1578	LMR	OA	1/18/06			And	4/18/06	
66	A 2378	ALB	OA	1/18/06			And	4/18/06	
67	A 13200	TBZ	PABD	1/19/06					Design - Proceed w/ Appeal Second Appeal proceeds Appeal
68	A 13200	TBZ	PABD	1/19/06					
69	A 4007	TIN	FNL OA	1/23/06			116 - 2/23/06		
70	A 0041	DBC	FnL OA	1/20/06			NOA - 4/23/06		
71	A 4027	R-H	1st OA	1/20/06			116 - 2/20/06		
72	AOA2300	JLB	REQ	1/19/06			NOA - 4/20/06		
73	A 1578T1	LMR	1st OA	1/18/06			And	4/18/06	
74	A 169001	JHY	NABD	1/20/06					
75	DSA3400092	DJA	Rsp to 312	1/20/06					
76	A 0306-US DIV	BR/JLB					S/AS	1/24/06	
77	A 0853	NIX/NHY	NHYpts.	1/18/06			Acc	3/18/06	
78	20050155	JHY	NHYpts	1/23/06			Acc D.s.c.	3/23/06	
79	20040304	R-H	1st OA	1/23/06			Corroborate Amend	4/23/06	
80	A 2381	EOP	1st OA	1/23/06			Amend	4/23/06	

JHN 2004